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3
4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 DEMETRIUS PALMER,

8 Plaintiff(s),

9 v.

10 LAS VEGAS METROPOLITAN POLICE
11 DEPARTMENT, et al.,

12 Defendant(s).

Case No. 2:17-CV-1160 JCM (DJA)

ORDER

13
14 Presently before the court is Magistrate Judge Hoffman's report and recommendation
15 ("R&R"). (ECF No. 11). No objections have been filed and the time to do so has passed.

16 Judge Hoffman recommends dismissing the instant action for *pro se* plaintiff Demetrius
17 Palmer's failure to comply with the court's order. *Id.* at 1 (referring to ECF No. 9). The court
18 instructed plaintiff to file an updated application to proceed *in forma pauperis* and to provide the
19 court with his current contact information before January 30, 2019. (ECF No. 9). The court's
20 order was returned as undeliverable. (ECF No. 10). Judge Hoffman indicated that plaintiff
21 "appears to have abandoned this case." (ECF No. 11 at 1).

22 This court "may accept, reject, or modify, in whole or in part, the findings or
23 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects
24 to a magistrate judge's report and recommendation, then the court is required to "make a de novo
25 determination of those portions of the [report and recommendation] to which objection is made."
26 28 U.S.C. § 636(b)(1).

27 Where a party fails to object, however, the court is not required to conduct "any review at
28 all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149

1 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a
2 magistrate judge's report and recommendation where no objections have been filed. *See United*
3 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review
4 employed by the district court when reviewing a report and recommendation to which no
5 objections were made).

6 Nevertheless, this court conducted a *de novo* review to determine whether to adopt the
7 recommendation of the magistrate judge. Upon reviewing the recommendation and attendant
8 circumstances, this court finds good cause appears to adopt the magistrate judge's findings in
9 full.

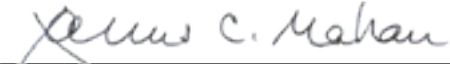
10 Accordingly,

11 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that Judge Hoffman's R&R
12 (ECF No. 11) be, and the same hereby is, ADOPTED.

13 IT IS FURTHER ORDERED that plaintiff's complaint is hereby DISMISSED without
14 prejudice.

15 The clerk is instructed to enter judgment and close the case accordingly.

16 DATED March 16, 2020.

17 
18 UNITED STATES DISTRICT JUDGE